



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
STATE HOUSE STATION 17  
AUGUSTA, MAINE 04333

BOARD ORDER

IN THE MATTER OF

DRAGON PRODUCTS COMPANY, INC	)	ADMINISTRATIVE CONSENT
KENNEBUNK	)	AGREEMENT
MAINE	)	AND ENFORCEMENT ORDER

This Agreement by and among Dragon Products Company, Inc., ("Dragon"), the Maine Board of Environmental Protection, (the "Board"), and the State of Maine Attorney General is entered into pursuant to 38 M R S A , § 347-A(1) and in accordance with the Department of Environmental Protection's (the "Department") Consent Agreement Policy, as amended

The parties agree as follows:

- 1 Dragon Products Company, Inc. is a foreign corporation that incorporated in Delaware on December 27, 1991 Dragon filed with the Department of the Secretary of State to do business in Maine on August 29, 1996
- 2 The Board has regulatory authority over the activities described hereinafter
3. Dragon served as a subcontractor providing concrete for constructing the upgrade of the Kennebunk Sewer District wastewater treatment facility. On July 15, 2005, Department staff observed a driver of a Dragon cement truck rinsing the truck chute in a designated area where wash out boxes had been provided. Rather than use a wash out box, the driver discharged water and concrete onto the ground from where it flowed into a small tidal tributary of the Mousam River, class SB. Department staff also found evidence in the tributary, in the form of hardened concrete approximately six to ten square feet in area, that this had not been the only discharge of concrete to the stream
4. The action described in Paragraph 3 of this Agreement is a violation of 38 M.R S A § 413(1) which states, "No person may directly or indirectly discharge or cause to be discharged any pollutant without first obtaining a license therefore from the department "
- 5 On November 10, 2005, the Department issued Dragon a Notice of Violation
- 6 This Agreement shall become effective only if it is accepted by the Board and approved by the Attorney General
7. To resolve the violation referred to in paragraphs 3 and 4 of this Agreement, Dragon agrees to.
  - a. Immediately upon signing this Agreement, pay to the Treasurer, State of Maine, the sum of \$1,860, and,

DRAGON PRODUCTS COMPANY, INC  
KENNEBUNK  
MAINE

) ADMINISTRATIVE CONSENT  
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- b Prevent any and all future discharges of pollutants to waters of the State without first having obtained a license to do so from the Department
- 8 The Board and the State of Maine Attorney General grant Dragon a release of their causes of action against Dragon for the specific violation listed in Paragraph 3 of this Agreement, on the express condition that all actions called for in paragraph 7 above, are completed in a timely manner and in accordance with the express terms and conditions of this Agreement. The release shall not become effective unless and until the above condition is satisfied.

### ORDER

Pursuant to 38 M.R.S.A., Section 347-A(1) and the Department's Consent Agreement Policy, as amended, and based on the Agreement set forth above, the Board ORDERS Dragon to

- a Immediately upon signing this Agreement, pay to the Treasurer, State of Maine, the sum of \$1,860, and,
- b Prevent any and all future discharges of pollutants to waters of the State without first having obtained a license to do so from the Department

IN WITNESS WHEREOF the parties have executed the Agreement consisting of 2 pages

DRAGON PRODUCTS COMPANY, INC

BY: David A. Grinnall DATE 4-26-2006

Title V.P. CONCEALED OPERATIONS  
DAVID S. GRINNALL

BOARD OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_ DATE \_\_\_\_\_

Matthew Scott, Chair

SEEN AND AGREED TO  
State of Maine

BY: \_\_\_\_\_ DATE \_\_\_\_\_

Carol A. Blasi, Assistant Attorney General